

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO.1400 OF 2003
IN
EXECUTION APPLICATION NO.217 OF 2003
IN
JAMNAGAR SPECIAL CIVIL SUIT NO.91 OF 1997

M/s. Keshavlal Naranji. ..Plaintiff.

Vs.

V.V. Parekh. ..Defendant.

And

M/s. National Plastic Industries and anr...Applicants.

Mr. Niranjan Lapasta i/by Niranjan & Co. for the plaintiff.

Mr. Bhandary i/by Bhandary & Bhandary for the applicant.

**CORAM : R.S. MOHITE, J.
DATED : 21/11/2006.**

P.C.

1. This is a chamber summons taken out by the applicant for raising attachment of premises situated at 412, Rewa Chambers, 4th floor, New Marine Lines, Mumbai-400 020. The evidence has been led in the matter. On perusal of the affidavit in support of the chamber summons, it is clear that in respect of the premises attached, Judgment debtor Mr. V.V.Parekh is admittedly a partner of one of the two applicants i.e. National Plastic Industries as a member of HUF. He therefore, has an undivided share and therefore, chamber summons cannot be allowed at the present moment. Accordingly, the chamber summons is dismissed. On behalf of the applicant, I am informed

that the Judgment debtor had moved the Jamnagar Court for setting aside the exparte decree. The applicants will be at liberty to move the chamber summons if the exparte decree is set aside or stayed.

(R.S. MOHITE, J.)